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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of David Harris
Serial No. 10/642,714
Filed August 18, 2003
Confirmation No. 4374
For PROSTHESIS
Examiner Bruce Edward Snow

Art Unit 3738

May 13, 2005

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

TO THE COMMISSIONER FOR PATENTS,

SIR:

The following remarks are responsive to the Office action of April 13, 2005.

In response to the election of species requirement, Applicant provisionally elects Species 5, subject to the traverse below, for further prosecution on the merits if no generic claim is held to be allowable. Species 5 is directed to Fig. 8. Claims 1-9, 12-17, 19 and 20 read on Species 5.

Pursuant to 37 C.F.R. § 1.141, a reasonable number of species may be claimed in an application provided there is an allowable claim generic to all claimed species. Claim 1 is a generic claim and allowable. Claim 1 reads on all of the species, and the species are related through the limitations of the claim.

Applicant believes that these six species are a reasonable number to claim in this application and that their examination together does not unduly burden the Office. The species are closely related and do not require a different field of search nor a separate classification.